

**RECEIVED  
CENTRAL FAX CENTER****NOV 27 2006**PATENT  
10/727,305REMARKS

The claims have been amended to more clearly define the present invention.

The rejection of claims 1-20 (as amended) under 35 USC 103(a) as being unpatentable over Mintz et al. (US6,734,823) in view of Himmelstein et al. (US7,092,723) is respectfully traversed.

The combination of Mintz in view of Himmelstein fails to suggest the present invention. Even though the Mintz and Himmelstein references come from an art similar to that of the present invention i.e. wireless communication with motor vehicles, Examiners proposed selection and combination of elements from each of the references is not being made in light of suggestions from the references themselves. The selection and combination of elements from the references is inappropriately being made in light of Applicants own teaching.

The present invention provides a simple region-specific broadcasting system for broadcasting information pertinent to motor vehicles in sequential regions of a roadway or highway directly to such vehicles as the vehicles pass through such sequential regions.

The invention provides short range RF real-time information to motor vehicles traveling along a roadway implemented through [1] a sequence of transceiving short range broadcast stations at fixed positions along said roadway, the stations are so [2] spaced that the broadcast ranges of said stations tangentially overlap each other. Each of the sequence of motor vehicles moving along this roadway should include a transceiver for the short range RF signals. There are means in each of said [3] motor vehicles with said transceivers for transmitting data that is

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specific to the transmitting motor vehicle together with means in the broadcast stations, receiving the data specific for [4] broadcasting the specific data from the transmitting motor vehicle to all of said motor vehicle transceivers within the broadcasting range. (The numbering of elements is added for convenience in making the arguments).

The Examiner concedes (first paragraph, page 3 of Final Rejection) that Mintz fails to disclose elements 3) and 4). While elements 3) and 4) are key to the present invention, Applicants submit that Mintz fails to even teach elements 1) and 2). Mintz does not disclose [1] a sequence of transceiving short range broadcast stations at fixed positions along said roadway, wherein the stations are so [2] spaced that the broadcast ranges of said stations tangentially overlap each other.

Mintz relates to the dispatching of vehicles, e.g. taxis or delivery trucks to places where they are requested. The selection of the vehicles to be dispatched is determined by several attributes of the respective vehicles but including the position of the vehicle. Thus, in Mintz, there is specific communication between the control center 12 and the vehicles dependent upon the position of vehicle among other attributes. Mintz sets forth that the control center 12 may communicate with the vehicle directly or through optional booster towers 30. While booster tower 30 and center 12 have spatial positions with respect to each other, they are not suggestive of [1] a sequence of transceiving short range broadcast stations at fixed positions along a roadway. In addition, the spatial relationships between tower 30 and center 12 are not suggested to be [2] spaced that the broadcast ranges of said stations tangentially overlap each other.

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With respect to a teaching of element [2], Examiner inexplicably cites vehicles (taxis) 20-24, Fig. 1. Clearly such taxis are mobile and can not be [1] a sequence of transceiving short range broadcast stations at fixed positions along a roadway or [2] spaced that the broadcast ranges of said stations tangentially overlap each other. Clarification on this point in Examiner's argument would be appreciated.

Himmelstein does not make up for the deficiencies in the Mintz basic reference. Himmelstein does disclose a network system wherein motor vehicles are specifically communicated with through stations in a fixed communication network. However, in Himmelstein, it is important that the position of the motor vehicle being communicated with is determined and thus known. It is essential to the teaching of Himmelstein that the positions of the motor vehicles always be determined through Global Positioning Satellites (GPS) so that the appropriate communication station closest to the motor vehicle be selected and a direct specific transmission be made to the vehicle from the optimum station closest to the vehicle. This clearly is not a teaching of a broadcast from the communication station to all of said motor vehicle transceivers within the broadcasting range.

Dependent claims 3 and 13 are submitted to have patentability over the combination of Mintz in view of Himmelstein for all of the reasons set forth hereinabove. In addition, these claims require that the broadcast stations be cellular towers and that the transceivers in the motor vehicles be cellular telephones. Applicants fail to find any mention of cellular telephone systems in either the

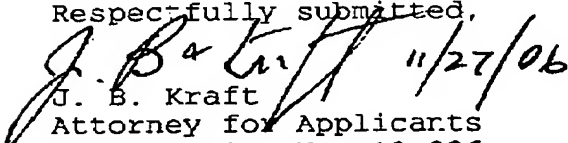
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Mintz or Himmelstein patents. Thus, these claims have further patentability over the combination of references.

In view of the foregoing, it is submitted that amended claims 1-20 are now in condition for allowance, and such allowance is respectfully requested.

Respectfully submitted,

  
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